

PATENT
Docket No. 223002006313
Client Ref. No. 0063.021

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

I hereby certify that this paper or fee is being deposited on September 11, 1998 with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 as Express Mail Label No. EM 328074899 US and is addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231.

9/11/98
Date

Niki Cox

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Houghton et al.

Serial No.: 08/441,355

Filing Date: May 15, 1995

For: HCV IMMUNOGENS AND
IMMUNOGENIC COMPOSITIONS

Examiner: M. Zeman

Group Art Unit: 1815

**REQUEST FOR REMOVING THE FINALITY OF AN OFFICE ACTION
PURSUANT TO 37 C.F.R. § 1.129(a)**

Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.129(a), applicant(s) request that the finality of the Office Action dated August 12, 1997 be removed.

- The earliest effective U.S. filing date for this application is prior to June 8, 1993.
- This request is made prior to the filing of an appeal brief and prior to abandonment of the application.
- This is applicant(s) first request for removing the finality of an Office Action.
- A Supplemental Information Disclosure Statement and PTO form 1449 is filed herewith.

A check in the amount of \$3090.00 which includes the \$790.00 fee to Remove Finality of an Office Action Pursuant to 37 C.F.R. §1.129(a) as set forth in § 1.17(r) is attached.

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this request, or to credit any overpayment, to **Deposit Account No. 03-1952** referencing Docket No. 223002006313. A duplicate copy of this request is enclosed for that purpose.

Dated: September 11, 1998

By:

Gladys H. Monroy
Gladys H. Monroy
Registration No. 32,430

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Palo Alto, California 94304-1018
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TRANSMITTAL

Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated August 12, 1997 in the above-referenced patent application, a Notice of Appeal along with a petition and fee for a three month extension of time was mailed on February 11, 1998. This response is being filed along with a petition and fee for a five month extension of time from the time of filing of the Notice of Appeal to extend the time for response from April 11, 1998 to September 11, 1998. Applicants enclose the appropriate request and fee for removing the finality of an office action pursuant to 37 CFR §§ 1.129(a) and 1.17(r):

- A petition for Extension of Time is requested.
- Request for Removing the Finality of an Office Action Pursuant to 37 C.F.R. §1.129(a).
- Other enclosures: Supplemental Information Disclosure Statement; PTO Form 1449; Return Receipt Postcard

The fee (if any) has been calculated as follows:

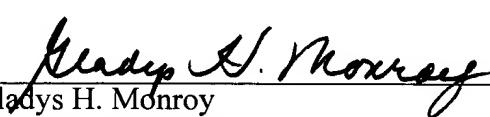
FOR	CLAIMS ON FILE AFTER THIS AMENDMENT MINUS HIGHEST NUMBER PREVIOUSLY PAID FOR	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	160-160	0	x \$22.00	\$0
INDEPENDENT CLAIMS	30-31	0	x \$82.00	\$0
Fee for Request for Removing the Finality of an Office Action Pursuant to 37 C.F.R. §1.129(a)				\$790.00
Supplemental Information Disclosure Statement fee			+	\$240.00
		TOTAL OF ABOVE CALCULATIONS =		\$1030.00
Reduction by ½ for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28).				\$0
		SUB TOTAL =		\$1030.00
Petition for Extension of Time				\$2060.00
		TOTAL =		\$3090.00

- A check in the amount of \$3090.00 is attached.
- Please charge \$0.00 to **Deposit Account No. 03-1952** referencing docket no. 223002006313.
- The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this transmittal and associated documents, or to credit any overpayment to **Deposit Account No. 03-1952** referencing docket no. 223002006313. A duplicate copy of this transmittal is enclosed, for that purpose.

Respectfully submitted,

Dated: Sept. 11, 1998

By:


Gladys H. Monroy
Registration No. 32,430

Morrison & Foerster LLP
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